IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R.No.4664 of 2006.
Date of decision : 8.9.2006.

Daljeet Singh .....Petitioner

versus

Nirmal Kaur .....Respondent

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present: Mr.Jaideep Verma, Advocate for the petitioner.

ORDER

HEMANT GUPTA, J (Oral)

The challenge in the present revision petition is to the order dated 11.8.2006, passed by the learned Rent Controller, whereby the provisional rent, interest and costs were assessed.

Learned counsel for the petitioner has vehemently argued that the said order is illegal and not sustainable. However, I do not find any merit in the arguments raised by the learned counsel for the petitioner for the reasons that the order assessing the provisional arrears of rent, interest and cost is only to provide an opportunity to the tenant to tender the arrears of rent to avoid eviction after trial. If ultimately, on the basis of evidence led, the petitioner is able to prove that he is not in arrears of rent as claimed by the land-lady, the eviction petition is liable to be dismissed and if the finding is in terms of the order, the petitioner shall not be entitled to any other opportunity to tender the arrears of rent to avoid his eviction.

In view of the above, I do not find any illegality or irregularities in the orders passed by the learned Rent Controller, which may warrant interference by this Court in exercise of its revisional jurisdiction.

Dismissed in limine.

(HEMANT GUPTA)
JUDGE

September 8, 2006.
**mohinder*